UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,651	06/01/2001	Masami Nojiri	24664	9050

7590 04/05/2005

NATH & ASSOCIATES
Sixth Floor
1030 Fifteenth Street, N.W.
Washington, DC 20005

EXAMINER	
ZHOU, TING	

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/870,651	NOJIRI, MASAMI	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 November 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/30/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

TE

DETAILED ACTION

1. The Request for Continued Examination (RCE) filed on 15 November 2004 under 37 CFR 1.53(d) based on parent Application No. 09/870,651 is acceptable and a RCE has been established. An action on the RCE follows.

2. The amendments filed on 17 June 2004, submitted with the filing of the RCE have been received and entered. Claims 1-17 as amended are pending in the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-9 and 11-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al. U.S. Patent 5,614,993.

Referring to claims 1 and 9, Smith et al. teach an image forming apparatus comprising a setup screen of a hierarchical multi-stage type that allows a complete set of hierarchical multi-stage predetermined conditions to be set up for all stages of the hierarchy (a complete set of hierarchical multi-stage conditions can be set up so that all sub-conditions for all stages of the hierarchy, such as conditions under standard features, job level features and page level features can be set up via the display on the screen) (column 5, line 50 – column 7, line 17; this can

further be seen in Figures 11-12, where a hierarchical multi-stage job level feature can be set up, in which the user selects the "Edge Erase" sub-feature from the job level feature screen shown in Figure 11, to display the sub-setup screen of Figure 12); a setup confirmation screen that allows the complete set of hierarchical multi-stage predetermined conditions set up through the setup screen to be displayed together in a package for confirmation (users can check the entire machine setup conditions by actuating the summary key 49 on panel 13, as shown in Figures 7 and 27, where an overview screen of the job is displayed, displaying confirmation for the set up conditions, including standard features, job level features and page level features are displayed together as a package on the screen) (column 2, lines 11-15, column 6, lines 19-27 and column 9, lines 13-61); and a memory registration command section located on the setup confirmation screen that stores in memories the complete set of predetermined conditions confirmed through the setup confirmation screen (column 2, lines 34-47 and column 8, line 48 – column 9, line 34) (this is further shown in Figure 7, where the setup confirmation, or summary screen, is shown; on the setup confirmation screen, there is a memory registration command section, shown by the button labeled "Define Name", that allows the user to store, or save the set of conditions set up by the user in memory); and wherein the complete set of predetermined conditions are retrievable and reusable (the saved jobs can be recalled by the user, as shown in Figures 26 and 27; Figure 26 shows giving users the ability to recall a set of conditions, for example, job 10, and Figure 27 shows displaying the overview summary screen for the retrieved setup conditions associated with job 10) (column 9, lines 13-61), and an image forming unit forming the image on the basis of the predetermined conditions stored (producing copy jobs in accordance with selected operating features) (column 2, lines 34-42).

Referring to claims 2 and 11, Smith et al. teach the setup condition input device being a touch panel input device (touch screen display device) including a display section (display device) displaying predetermined information and a touch panel (touch screen) located on the front face of the display section, as recited in column 1, lines 40-44 and column 5, lines 38-47. This is also shown in Figure 4.

Referring to claims 3 and 12, Smith et al. teach the setup confirmation screen (summarization screen) having a display section displaying item contents of the predetermined conditions set up through the setup screen and associated set values thereof and a scroll button selectively displaying the item contents and the associated set values, as recited in column 7, lines 53-67 and shown in Figures 7, 12 and 15. Figure 12 shows scroll buttons selectively displaying the item contents (the arrows and "side 1" and "side 2" buttons allows the users to selectively show the contents on the display). Figures 7 and 15 show the confirmation screen displaying the conditions and values setup though the setup screen.

Referring to claims 4 and 13, Smith et al. teach the setup confirmation screen having a first display section to provide a display of the item contents of the predetermined conditions set up through the setup screen and a second display section to provide a display of the associated set values in correspondence with the first display section, as recited in column 6, lines 23-39. This is further shown in Figure 7, where the confirmation includes the first display of the item contents of the conditions set up (such as Copy Quality, Paper Supply, Staple, Collate, etc.) and the second display of the set values for each predetermined item content (such as "S" for Copy Quality, "Lower" for Paper Supply, "Landscape" for Staple and "No" for Collate, etc.).

Referring to claims 5 and 14, Smith et al. teach the memory registration screen provided to include a plurality of memory buttons (job number buttons shown in Figure 25) allowing the predetermined conditions confirmed through the setup confirmation screen to be stored in a memory that is corresponding to one of the plurality of memory buttons, and the setup confirmation screen (the screen shown on the display) is shifted to the memory registration screen while the memory registration command is being operated (the job table screen is shown on the display instead of the setup condition summary screen when the memory key is actuated), as recited in column 8, lines 61-67 and continuing onto column 9, lines 1-6. Furthermore, the "Define Name" button shown in the setup confirmation screen in Figure 7 allows users to save the set of setup printing conditions in memory. Therefore, by pressing the "Define Name" button shown in the setup confirmation screen in Figure 7, the user can be shifted to the memory registration screen of Figure 26, where the set of setup conditions can be stored in memory as a job (column 9, lines 15-34).

Referring to claims 6 and 15, Smith et al. teach the predetermined conditions confirmed through the setup confirmation screen stored in the memory through the memory registration screen, as recited in column 8, lines 61-67 and continuing onto column 9, lines 1-6. This can further be seen in Figure 25.

Referring to claims 7 and 16, Smith et al. teach a memory call-up command section provided to execute call-up of the predetermined conditions stored in the memories for use (retrieve saved jobs), as recited in column 8, lines 61-67 and continuing onto column 9, lines 1-6 and 32-42.

Referring to claims 8 and 17, Smith et al. teach the memory call-up command section appearing while the memory call-up command section is being operated, as recited in Figure 9, lines 32-42 and shown in Figure 25.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. U.S. Patent 5,614,993.

Referring to claim 10, Smith et al. teach the image forming apparatus (reproduction apparatus including, for example, printers and copiers) including a making section (marking engine) for making the image data on a sheet and a print section (development station) executing print on the basis of the image reproduction conditions, as recited in column 3, lines 55-67 and continuing onto column 4, lines 1-24. This is further shown in Figures 1 and 2. Although Smith et al. do not explicitly teach the image forming apparatus being a stencil printing machine, they do teach the ability to produce the image on paper of various types (column 1, lines 15-21) and the process of printing on the sheets of paper disclosed by Smith et al. (including a making section and a printing section) is the same as that recited in claim 10. One of ordinary skill

would have known to use this process with any capable printing device, such as a stencil printing machine or any other type of printer. The examiner takes Office Notice of this teaching. Therefore, it would have been obvious to include the stencil printing machine as a type of image forming apparatus taught by Smith et al. in order to allow users to set the conditions (such as letter size and shape) for the printed sheets used for stencil lettering.

Response to Arguments

5. Applicant's arguments filed 17 June 2004 have been fully considered but they are not persuasive.

6. The applicant asserts that Smith et al. fail to teach "a complete set of hierarchical multi-stage predetermined conditions to be set up for all stages of the hierarchy" is stored. The examiner respectfully disagrees. As shown in Figure 7 and recited in column 6, lines 9-27, an overview summary screen of the job is displayed, which contains a complete set of hierarchical multi-stage setup conditions for all stages of the hierarchy, i.e. the standard features, job level features and page level features. The standard features, job level features and page level features are hierarchical stages in the setup of the current job in that users can set up the various sub-features under the three categories via sub-screens and all of the sub-features set up under the three categories can be displayed on the overview summary screen shown in Figure 7. Specifically, the applicant asserts that there is no mention of the memory being used to store a hierarchical package of set-up conditions for a print job such that a complete package of all stages of a hierarchy of the particular stored print job can be recalled and reused. The examiner

respectfully disagrees. Smith et al. teach that job setups can be stored as "saved jobs" in the memory and subsequently retrieved via actuation of the memory key 43 on panel 13, as recited in column 8, line 48 – column 9, line 6. Furthermore, in the example given in column 9, lines 13-61 and shown in Figure 27, Smith et al. teach that users can save the exemplary job 10 with setup conditions from a plurality of hierarchical stages, including conditions under standard features, job level features and page level features categories in the apparatus' memory. Furthermore, Smith et al. teach that "Job 10" can be retrieved from the store/retrieve memory screen shown in Figure 25. Therefore, the examiner respectfully contends that Smith et al. teach storing a complete set of hierarchical multi-stage predetermined conditions to be set up for all stages of the hierarchy in memory to be retrieved.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-4058.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173